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Paper 49

Filed: 28 October 2011

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

GARY L. GREENFIELD, HARVEY A. KNELL,
DAVID O. PHILIPS, and JAMES M. RETTERER

Junior Party

(Patent No. 5,687,799),

v.

ROBERT JOHN BROCKWAY

Senior Party

(Application No. 09/599,679).

Patent Interference No. 105,806 (SCM)
(Technology Center 3600)

*Before JAMESON LEE, SALLY GARDNER LANE, and SALLY C.
MEDLEY, Administrative Patent Judges.*

MEDLEY, Administrative Patent Judge.

Judgment – Request for Adverse - Bd.R. 127(b)

- 1 On 6 September 2011, Greenfield filed a request for adverse judgment.
- 2 (Paper 33). The request is GRANTED.
- 3 Accordingly, it is

1 **ORDERED** that judgment as to the subject matter of Count 1 (Paper
2 1 at 4) is entered against Greenfield;

3 **FURTHER ORDERED** that claims 1, 5 and 6 of Greenfield's
4 involved Patent 5,687,799, which correspond to Count 1, are CANCELLED,
5 35 U.S.C. § 135 (a);

6 **FURTHER ORDERED** that judgment as to the subject matter of
7 Count 2 (Paper 1 at 4) is entered against Greenfield;

8 **FURTHER ORDERED** that claims 7-10 of Greenfield's involved
9 Patent 5,687,799, which correspond to Count 2, are CANCELLED;

10 **FURTHER ORDERED** that the parties shall note the requirements
11 of 35 U.S.C. § 135(c) and Bd. R. 205; and

12 **FURTHER ORDERED** that a copy of this judgment be entered in
13 the administrative records of the involved Greenfield Patent 5,687,799 and
14 Brockway Application 09/599,679.

cc (via email):

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